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**MEMORANDUM OF UNDERSTANDING**


Dana Grottano, et al. v. City of New York, et al., 15 Civ. 9242 (RMB) (KNF)

With the mediation assistance of The Honorable James C. Francis IV (Ret.), the parties reached an agreement in principle of the monetary settlement of this class action as follows:

- (1) All persons who visited or attempted to visit an inmate housed at a New York City Department of Correction ("DOC") facility from November 23, 2012 to the date of the preliminary approval by the Court ("Class Period"), who were subject to an invasive search, will receive up to \$4,000, except as set forth in paragraphs (2) and (3) below.
- (2) Those who were subject to an invasive search during the Class Period and
  - a. were found with contraband more than once, and were denied a visit or had their visit(s) restricted; or
  - b. were found with contraband on their only visit, and were denied a visit or had their visit restricted, ("Contraband Claimants") will receive up to \$500.
- (3) For every Contraband Claimant, an additional \$500 will be set aside and apportioned to the non-contraband claimants on a pro-rata basis.
- (4) The total cap for the settlement of class damages is \$12,500,000 ("Class Fund"). Any funds remaining of \$12,500,000 will revert to the City of New York. In the event that

the claims to be paid exceed \$12,500,000, the amounts set forth in paragraphs (1) and (2) will be reduced on a pro rata basis.

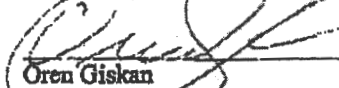
- (5) The Class Fund is exclusive of attorneys' fees and expenses, administrative costs and any incentive awards to the named plaintiffs and are not included in the Class Fund. The parties will separately negotiate these amounts.

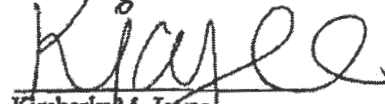
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